

DISTRICT OF PUERTO RICO
UNITED STATES OF AMERICA

v.

CRIMINAL NO. 07-45 (JAF)

ANGEL RAMALLO

Defendant



INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE

At all times material to this Information,

A. THE CLEAN WATER ACT

1. The Federal Water Pollution Control Act (Clean Water Act), Title 33, United States Code, Section 1251 *et seq.* was enacted by Congress to restore and maintain the chemical, physical and biological quality of the Nation's waters. In addition, the Clean Water Act was enacted to prevent, reduce and eliminate water pollution in the United States and to conserve the waters of the United States for the protection and propagation of fish and aquatic life and wild life, for recreational purposes, and for the use of such waters for public drinking water, agricultural and industrial purposes.

2. The term "pollutant" means dredged spoil solid waste, incinerator residue, sewage garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into waters. Title 33, United States Code, Section

1362 (6).

3. The term "discharge of a pollutant" means the addition of any pollutant to navigable waters from any point source. Title 33, United States Code, Section 1362(12) (A).

4. The term "navigable waters" means the waters of the United States, including the territorial seas. Title 33, United States Code, Section 1362 (8).

5. The term "point source" means any discernible, confined and discrete conveyance from which pollutants are discharged, for example a pipe, ditch or channel. Title 33, United States Code, Section 1362 (4).

B. THE DEFENDANT

6. The defendant, ANGEL RAMALLO, was the Vice President of Caribbean Forms Manufacturing Inc., and was responsible for, among other things, safety and environmental compliance.

7. The manufacturing facility of Caribbean Forms Manufacturing Inc., is located at Route 1, Km 25.5 in San Juan, Puerto Rico. Among other things, Caribbean Forms Manufacturing Inc., creates business forms, conducts commercial printing, manufactures envelopes, prepares continuous forms (cut sheets for the laser printers) and provides business solutions.

8. The manufacturing facility of Caribbean Forms Manufacturing Inc., used a variety of ink and other printing related materials and generated ink and other liquid wastewater.

9. The Caribbean Forms Manufacturing Inc., facility included an outside wastewater storage tank. The storage tank held waste ink and other wastewater generated at the facility. The waste ink and other wastewater in the storage tank and subject to this Information were non-hazardous as defined by federal law. Said wastewater and waste inks were a pollutant

under the Clean Water Act, 33 U.S.C. § 1362 (6).

10. On or about February 18, 2004, within the District of Puerto Rico, the defendant,

ANGEL RAMALLO

did negligently discharge and cause the discharge of a pollutant, ink and other wastewater, from a point source, the outside storage tank and related piping, into the unnamed creek behind the Caribbean Forms Manufacturing Inc., facility at Route 1, Km 25.5, San Juan, Puerto Rico which is a tributary of the Loiza River, a navigable water of the United States, without a permit, in that the defendant, ANGEL RAMALLO, failed to properly contain the spill and release of ink and other wastewater from the outside storage tank and related piping and prevent said wastewater and ink from saturating the ground and entering the unnamed creek and the Loiza River.

All in violation of Title 33. United States Code, Section 1319 (c)(1)(A) and 1311, and Title 33, United States Code, Section 2.

DATED: September 20, 2007

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